

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

TERRY R. CHRISTIAN,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. CIV-06-186-D
	)	
MICHAEL J. ASTRUE, Commissioner of	)	
Social Security Administration,	)	
	)	
Defendant.	)	

**ORDER**

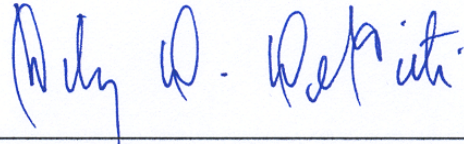
Upon consideration of the Motion for an Award of Attorney Fees Under 42 U.S.C. § 406(b) [Doc. No. 31], and the court of appeals' decision in *Wrenn v. Astrue*, No. 06-7088, 2008 WL 1960766 (10th Cir. May 7, 2008), the Court finds that Plaintiff's attorney may recover a reasonable fee for the representation of Plaintiff in this case up to the statutory limit of 25% of past-due benefits, provided the attorney refunds the amount of \$2,794.20 previously awarded under the Equal Access to Justice Act (EAJA). *See* Order 3/30/07 [Doc. No. 27]. An examination of the case record reveals a copy of the contingent-fee agreement and the attorney's time records were previously submitted with the motion for EAJA fees [Doc. No. 25]. These records show 20.4 hours of legal work done in this case (5.7 hours of paralegal work and 14.7 hours of attorney work), which resulted in a fully favorable judicial decision, that is, a reversal and remand of the Commissioner's decision and an order for payment of benefits. *See* Order 2/22/07 [Doc. No. 24].

Upon consideration of the facts and circumstances presented, the Court finds that the requested amount of \$5,929.70 represents a reasonable fee for the work done in this case in view of the nature of the representation and the results achieved. The Court further finds that the Motion

was filed within a reasonable time after the Commissioner issued a decision awarding benefits. The Court therefore finds that the Motion of Plaintiff's attorney should be granted.

IT IS THEREFORE ORDERED that the Motion for an Award of Attorney Fees Under 42 U.S.C. § 406(b) [Doc. No. 31] is GRANTED. The Court approves an award of attorney fees under 42 U.S.C. § 406(b) to Plaintiff's attorney in the amount of \$5,929.70. The attorney shall refund to Plaintiff the amount of EAJA fees previously awarded.

IT IS SO ORDERED on this 27<sup>th</sup> day of May, 2008.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE